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Susan L. Eick

Name

Susan L. Eick

Signature

June 8, 2004

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pruitt et al.

Serial No.: 10/759,334

Filed: January 16, 2004

For: Method for Comprehensive Identification of Cell Lineage Specific Genes

LETTER

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to a Notice to File Missing Parts mailed April 8, 2004 (copy enclosed)
Applicant declares that the enclosed Paper Copy of the Sequence Listing and the Computer Readable Copy filed with the above-referenced patent application are the same. No new matter has been added. Please enter the paper copy.

Respectfully Submitted,

John D. Lopinski

John D. Lopinski

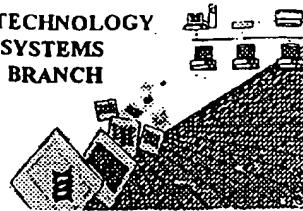
Reg. No. 50,846

Hodgson Russ LLP
One M&T Plaza, Suite 2000
Buffalo, NY 14203-2391
(716) 848-1430
Dated: June 8, 2004



BEST AVAILABLE COPY

BIOTECHNOLOGY
SYSTEMS
BRANCH



RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/759,334
Source: FEWO
Date Processed by STIC: 11/26/04

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 703-308-4212; FAX: 703-308-4221

Effective 12/13/03: TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkr41note.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efb/efs/downloads/documents.htm>> , EFS Submission User Manual - cPAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry directly to (EFFECTIVE 12/01/03):
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 10/08/03

Raw Sequence Listing Error Summary

ERROR DETECTED	SUGGESTED CORRECTION	SERIAL NUMBER: 101759,334
ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE		
1 <input checked="" type="checkbox"/> Wrapped Nucleics Wrapped Aminos	The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."	
2 <input type="checkbox"/> Invalid Line Length	The rules require that a line not exceed 72 characters in length. This includes white spaces.	
3 <input type="checkbox"/> Misaligned Amino Numbering	The numbering under each 5 th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.	
4 <input type="checkbox"/> Non-ASCII	The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.	
5 <input type="checkbox"/> Variable Length	Sequence(s) _____ contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.	
6 <input type="checkbox"/> PatentIn 2.0 "bug"	A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequence(s) _____. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.	
7 <input type="checkbox"/> Skipped Sequences (OLD RULES)	Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence: (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading) (xi) SEQUENCE DESCRIPTION: SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) This sequence is intentionally skipped	
9 <input type="checkbox"/> Use of n's or Xaa's (NEW RULES)	Use of n's and/or Xaa's have been detected in the Sequence Listing. Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present. In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.	
10 <input type="checkbox"/> Invalid <213> Response	Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence	
11 <input checked="" type="checkbox"/> Use of <220>	Sequence(s) _____ missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section. (See "Federal Register," 00/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)	
12 <input type="checkbox"/> PatentIn 2.0 "bug"	Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.	
13 <input type="checkbox"/> Misuse of n/Xaa	"n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid	



IFWO

RAW SEQUENCE LISTING
PATENT APPLICATION: US/10/759,334

DATE: 01/26/2004
TIME: 11:15:30

Input Set : A:\pto.da.txt
Output Set: N:\CRF4\01262004\J759334.raw

3 <110> APPLICANT: Pruitt, Steven C.
5 <120> TITLE OF INVENTION: Method for Comprehensive Identification of Cell Lineage Specific Genes
7 <130> FILE REFERENCE: 03551.0124
C--> 9 <140> CURRENT APPLICATION NUMBER: US/10/759,334
C--> 9 <141> CURRENT FILING DATE: 2004-01-16
9 <150> PRIOR APPLICATION NUMBER: US 60/440,510
10 <151> PRIOR FILING DATE: 2003-01-16
12 <160> NUMBER OF SEQ ID NOS: 39

ERRORED SEQUENCES

14 <210> SEQ ID NO: 1
15 <211> LENGTH: 151
16 <212> TYPE: DNA
17 <213> ORGANISM: (artificial sequence) - Mandatory, if (213)
19 <220> FEATURE: Response is Artificial/Unknown, please
20 <221> NAME/KEY: unsure explain in section (220)-
21 <222> LOCATION: 19-32, 51-64, 83-96, 103-116, 147-151
22 <223> OTHER INFORMATION: n is a, t, g or c
24 <400> SEQUENCE: 1
W--> 26 tctagacagt ctggagagnn nnnnnnnnnn nntctagaca gtctggagag 50
27 nnnnnnnnnn nnnntctaga cagtctggag agnnnnnnnn nnnnnntcta 100
28 gannnnnnnn nnnnnnctct ccagactgtc tagacagtct ggagagnnnn 150
E--> 29 n
30 151

Please see item #1 on
error summary sheet.

Does Not Comply
Corrected Diskette Needed
(pg. 1-3)

explain in section (220)-
item # 11 on
error summary
sheet.

The type of errors shown exist throughout
the Sequence Listing. Please check subsequent
sequences for similar errors.

RAW SEQUENCE LISTING ERROR SUMMARY

DATE: 01/26/2004

PATENT APPLICATION: US/10/759,334

TIME: 11:15:32

Input Set : A:\pto.da.txt

Output Set: N:\CRF4\01262004\J759334.raw

Invalid Line Length:

The rules require that a line not exceed 72 characters in length. This includes spaces.

Seq#:1; Line(s) 29

VERIFICATION SUMMARY

DATE: 01/26/2004

PATENT APPLICATION: US/10/759,334

TIME: 11:15:32

Input Set : A:\pto.da.txt

Output Set: N:\CRF4\01262004\J759334.raw

L:9 M:270 C: Current Application Number differs, Replaced Current Application No

L:9 M:271 C: Current Filing Date differs, Replaced Current Filing Date

L:26 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 after pos.:0

M:341 Repeated in SeqNo=1

L:29 M:254 E: No. of Bases conflict, LENGTH:Input:0 Counted:151 SEQ:1

L:65 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:4 after pos.:0